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Co-Lead Counsel for Plaintiffs

[Additional Counsel Appear On Signature Page]

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

IN RE DRAM ANTITRUST LITIGATION )

Master File No. M-02-1486PJH

MDL No. 1486

\_\_\_\_\_  
This Document Relates to:

ALL DIRECT PURCHASER CLASS  
ACTIONS

) STIPULATION AND [~~PROPOSED~~]  
) ORDER BETWEEN ALL DIRECT  
) PURCHASER PLAINTIFFS AND  
) DEFENDANTS THAT THE TRIAL OF  
) ALL DIRECT PURCHASER CLASS  
) ACTIONS SHALL OCCUR IN SAN  
) FRANCISCO

1 WHEREAS, not less than 10 of the direct purchaser class actions pending before this Court  
2 were originally filed in this District; and

3 WHEREAS, not less than 6 of the direct purchaser class actions pending before this Court  
4 were filed in other Districts and transferred to this District by the Judicial Panel on Multidistrict  
5 Litigation pursuant to MDL No. 1486 (the "MDL Order"); and

6 WHEREAS, all the direct purchase class action complaints have been superseded by a  
7 Consolidated Class Action Complaint filed in the Court; and

8 WHEREAS, those parties whose actions were transferred to this District by the MDL  
9 Panel could, if they chose to, request remand of their actions for trial after completion of the pre-  
10 trial proceedings, pursuant to 28 U.S.C. §1407(a); and

11 WHEREAS, those parties whose actions were transferred to this District wish to waive  
12 their option to request remand of those actions to the Districts in which those cases were filed for  
13 trial, and to consent to trial of all the direct purchaser actions before this Court in San Francisco,  
14 California;

15 THEREFORE, it is STIPULATED between all direct purchaser class action plaintiffs and  
16 all defendants as follows:

17 1. Venue for all the direct purchaser class actions is proper before this Court in San  
18 Francisco, California. The following direct purchaser class actions pending before this Court were  
19 originally filed in this District: *Internet Integration Inc. v. Micron Technology Inc. et al.*, No. 3:02-  
20 cv-03196; *Irwin v. Micron Technology, Inc. et al.*, No. 3:02-cv-03457; *PC Doctor, Inc. v. Micron*  
21 *Technology, Inc., et al.*, No. 3:02-cv-03458; *Advanced Technology Distributors, Inc. v. Micron*  
22 *Technologies, Inc., et al.*, No. 3:02-cv-03546; *JEM Electronics Distributors Inc. v. Micron*  
23 *Technology Inc., et al.*, No. 3:02-cv-03611; *Network Business Solutions, Inc. v. Micron*  
24 *Technology, Inc., et al.*, No. 3:02-cv-03647; *Clement v. Micron Technology, Inc., et al.*, No. 3:02-  
25 cv-03835; *Dolphin Consulting, Inc. v. Micron Technology, Inc., et al.*, No. 3:02-cv-03903; *5207*  
26 *Inc. v. Micron Technology, Inc., et al.*, No. 3:02-cv-04358; and *Wilkser v. Micron Technology,*  
27 *Inc., et al.*, No. 02-cv-4004. One or more of the defendants named in the direct purchaser class

actions have their principal place of business in this District, and some of the events giving rise to the direct purchaser class action lawsuits occurred in this District.

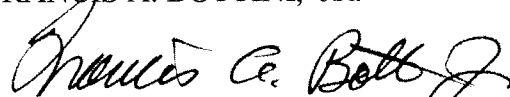
2. The following direct purchaser class actions pending before this Court were originally filed in other districts and transferred to this District pursuant to the MDL Order: *Nespole et al v. Micron Technology Inc. et al.*, No. 3:02-cv-05573 (originated S.D.N.Y); *Seiniger v. Micron Technology Inc. et al.*, No. 03-0055 (originated D. Id.); *Continental Promotion Group v. Micron Technology Inc. et al.*, No. 03-0056 (originated D. Id.); *C3 Information Technology, LLC v. Micron Technology Inc. et al.*, No. 03-0057 (originated D. Id.); *Web Ideals, LLC v. Micron Technology Inc., et al.*, No. 03-0058 (originated D. Id.); and *Midlands Solutions Group Inc., v. Micron Technology Inc., et al.*, No. 03-0059 (originated D. Id.). Counsel for each party who filed one of these cases is signing this Stipulation, indicating the agreement of all plaintiffs from such cases to waive any right to seek remand of their cases.

3. Each party to a direct purchaser class action hereby stipulates and agrees that the action and/or actions in which he, she or it is a party may be tried in the Northern District of California and further waives the right to seek remand of those actions for trial to the transferee district from which certain of the actions originate. Moreover, those parties to the direct purchaser class actions consent to a single trial of all the direct purchaser class actions in this District. See MANUAL FOR COMPLEX LITIGATION, 4TH §20.132 at 224.

IT IS SO STIPULATED.

DATED: October 26, 2006

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Co-Lead Counsel for Plaintiffs and Counsel for the  
Plaintiff in *Nespole v. Micron Technology Inc.*, Case  
No. 3:02-CV-05573 (originally filed in S.D.N.Y.)

DATED: 10/26/2006

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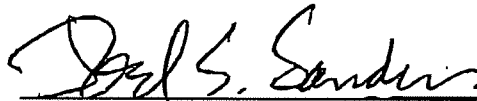
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Plaintiffs in *Seiniger v. Micron Technology Inc.*, Case  
No. 03-0055, *Continental Promotion Group v.*  
*Micron Technology Inc.*, Case No. 03-0056, *C3*  
*Information Technology LLC v. Micron Technology*  
*Inc.*, Case No. 03-0057, *Web Ideals LLC v. Micron*  
*Technology Inc.*, Case No. 03-0058, and *Midlands*  
*Solutions Group, Inc. v. Micron Technology Inc.*,  
Case No. 03-0059 (all originally filed in D. Id.)

1 DATED: 10/26/06

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19 Telephone: 202/942-500020 **Attorneys for Defendants Micron Semiconductor**  
21 **Products, Inc. and Micron Technology, Inc.**

22 DATED: 10/26/2006

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**Mosel Vitelic Corporation**

DATED: 10/26/2006

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1 DATED: October 26, 2006

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Nanya Technology Corporation USA

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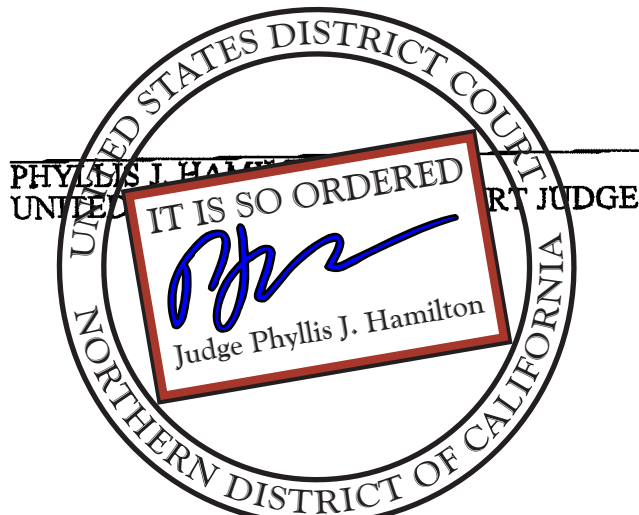
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Attorneys for Defendant Winbond Electronics  
Corp. and Winbond Electronics Corp. America

\* \* \*

21 IT IS SO ORDERED.

22 DATED: 10/31/06



DRAM:13873.v6STIP

[M-02-1486PJH] - STIP & [PROPOSED] ORDER BETWEEN ALL DIRECT PURCHASER PLTFFS & DEFTS  
THAT THE TRIAL OF ALL DIRECT PURCHASER CLASS ACTIONS SHALL OCCUR IN SAN FRANCISCO

1 I, MAUREEN LONGDO, the undersigned, declare:

2 1. That declarant is and was, at all times herein mentioned, a citizen of the United  
3 States and a resident of the County of San Diego, over the age of 18 years, and not a party to or  
4 interested in the within action; that declarant's business address is 750 B Street, Suite 2770, San  
5 Diego, California. 92101.

6 2. That on October 27, 2006, declarant served the STIPULATION AND  
7 [PROPOSED] ORDER BETWEEN ALL DIRECT PURCHASE PLAINTIFFS AND  
8 DEFENDANTS THAT THE TRIAL OF ALL DIRECT PURCHASER CLASS ACTIONS  
9 SHALL OCCUR SAN FRANCISCO via the CM/ECF System to the parties who are registered  
10 participants of the CM/ECF System.

11 3. That on October 27, 2006, declarant served the parties who are not registered  
12 participants of the CM/ECF System, via United States Mail.

13 4. That there is regular communication by mail, facsimile, and electronic mail within  
14 this office.

15 I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th  
16 day of October 2006, at San Diego, California.

17   
18 MAUREEN LONGDO